



"Rick Harter"
<rickharter@verizonmail.com>

To: Angela_Reynolds@longbeach.gov
cc:
Subject: Re: Sports Park DEIR

02/14/2005 07:21 PM

Sorry that I forgot to include a Subject line on my original message; hopefully it wasn't deleted. But just in case, here it is again. Thanks, Rick

----- Original Message -----

From: "Rick Harter" <rickharter@verizonmail.com>

To: Angela_Reynolds@longbeach.gov

Subject:

Date: Mon, 14 Feb 2005 19:07:23 -0800

>

> Dear Ms. Reynolds,

>

> Attached please find my comment letter on the Sports Park DEIR in

> Adobe Acrobat format. If you have any

> difficulty in opening it, or need this in a different format (it

> was created in MS Word), please let me know and

> I'd be happy to re-do it.

>

> Sincerely,

> Rick

> --

>

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February 14, 2004

Angela Reynolds, Environmental Officer
Department of Planning & Building: Sports Park DEIR
City of Long Beach
333 West Ocean Blvd, 7th Floor
Long Beach, CA 90802

Dear Ms. Reynolds,

I'm writing to submit a few comments on the Draft EIR from a 'watershed perspective'. It is ironic that in a period of time when many organizations are searching for suitable locations to daylight storm drains within the Los Angeles River watershed, that the City of Long Beach is contemplating development of a site that would be ideal for such an enterprise. It is also ironic that in a period of time when strategies for dealing with stormwater quality is a potentially very costly enterprise, that the City of Long Beach is not seizing an opportunity that is ideally situated for dealing with transportation (I-405) and industrial area runoff. While not strictly within the boundaries of the DEIR discussion per se – namely impacts of a defined 'Project Description' – I would encourage City officials to reconsider the proposal as a whole and whether its objectives could not be met at another location, or through substantial re-design of the current proposal, rather than continuing to pursue this less-than-optimal proposal.

With regard to specific comments, all following bulleted items should be individually addressed in the Final EIR:

- Section 5.4, Alternatives Considered But Rejected (pages 5.6 ff) - Grounds for rejection of the Passive Open Space (Cultural/Nature Park) are specious and unfounded; this alternative should have been, and still should be, seriously considered as a viable alternative.
- Wetland characteristics on the site do, in fact, appear to be remnants of "natural" condition. Inspection of the aerial photographs indicates traces of oxbows from the original drainage, which is most fully evident in historic topographic surveys as "City Water Lands". These facts are nowhere mentioned in the document, and their absence creates a misleading impression of the site.
- The characterization of "inherent land use conflicts" between passive open space activities and ongoing oil production activities is inaccurate and fails to recognize several locations in the Southland – such as the Los Cerritos and Bolsa Chica areas, but most pertinently the Madrona Marsh Nature Preserve in the City of Torrance – where these land uses in fact coexist.

- Indicating that there is no potential funding source for passive use of the site is quite misleading and unimaginative. Apart from park funding sources, which the City of Long Beach has historically been very adept at acquiring, bond funds certainly exist at present and are very likely to exist in the future as new bond measures are brought forward. Long Beach is highly competitive for such funds because of its demonstrable shortfall in park space per capita. Moreover, because of this site's situation as a highly viable location for stormwater treatment, it is quite possible that negotiations with Caltrans and the City of Signal Hill, as well as adjacent industrial land users, could result in funding participation by these or other entities. 6
- Concluding that "a cultural/nature park would not meet the recreation and economic objectives of the project" confuses the substantive characteristics of the project with this particular site. The objectives enumerated on page 5-7 are sufficiently general to be met elsewhere, and other principles – such as the City's *Strategic Plan - 2010* intention to promote Sustainability – are sufficiently pertinent to be taken into consideration with regard to other potential uses for this site. 7
- Incidentally, the "objectives" for this project appear to be designed to justify the proposal rather than to provide objective criteria for evaluation. For instance, applying Policy 12 (giving preference to children's sports ... in neighborhood parks) is questionable, when this is clearly not a neighborhood park – surrounded as it is by industrial land uses and being essentially an in-holding within the City of Signal Hill – and the intention of the developers in locating the facility within view of a freeway clearly indicates their desire to capture a regional market. 8

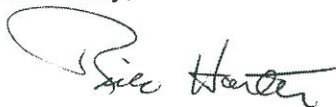
Even with development of this particular site as a sports complex, there are many site design elements that could be improved to create more potent watershed management results.

- Section 4.5, Biological Resources (pages 4.5-21 ff) – While it is laudable that mitigation for loss of habitat is being offered at a 2:1 ratio in an area adjacent to the San Gabriel River, one of the principles of watershed management is dispersal of resources (in appropriate locations). It would not be terribly difficult to: a) maintain a water feature on-site in order to compensate for the loss of the existing pond, and b) promote landscaping that is appropriate as habitat. 9
- Section 4.4, Hydrology and Water Quality (page 4.4-17 etc) – The proposed site plan purports to essentially handle runoff from the site itself, while bypassing runoff from other areas of the watershed. The watershed principle of multi-purpose solutions, however, could be brought to bear on this site so that it served a more potent function of water quality treatment for adjacent areas as well as flood protection. 10
- There is no particularly good reason why the percentage of impervious coverage needs to increase, or the effect of that increase not to be fully off-set on-site. Use of pervious concrete in parking areas, or rooftop drainage into cistern(s) or underground infiltrators could, and should, be made part of the project. Given the amount of grading and site reconfiguration that is proposed, some sort of underground facility ought to be more cost-effective than it would in other circumstances. 11

- Section 3.4, Project Characteristics (page 3-27 etc) – While there is a “Natural Vegetation Area” along half of the southern edge, offered as mitigation for biological impacts, this is trivial within the context of the overall Landscape Plan, which features exotic and non-native species. Again, this is highly contradictory to watershed principles. There is no good reason why a more regionally-appropriate, water-conserving landscape plan couldn’t be developed. Indeed, as a regional facility that could experience widespread visitorship, this would be an ideal situation to present high-quality demonstration of drought-tolerant landscaping and native planting consistent with local water agencies’ promotion of outdoor water conservation. 12
- Section 4.7, Public Services and Utilities (page 4.7-28 etc) - Indeed, Water Conservation is nowhere to be found as a topic of discussion within this DEIR, despite the five-fold increase in average daily potable water consumption and an estimated demand for landscaping of 109 acre-feet per year. While it is laudable that reclaimed water is to be used for the landscaping, and there is more-than-sufficient local supply, that should not justify profligacy in consumption. The City should be setting an example of stewardship, and this is not reflected in the current project description. 13
- General (Biology, Water Quality, Water Conservation, etc) – Also, nowhere to be found is a discussion of the potential additional water quality impacts associated with landscape maintenance of the site. The issue of ‘pesticides’ is mentioned and dismissed with regard to construction-related impacts associated with vectors, but I’ve found no discussion of the impacts of increased nutrients associated with fertilization, or pesticides associated with weed control, during regular operation and maintenance of the facility. Indeed, the potential intensity of facility usage suggests that there would need to be much higher levels of ‘inputs’ (which become ‘outputs’) of this nature over existing conditions; these should be calculated. A potentially mitigating strategy, that would also address the water conservation issue, would be use of artificial turf for the playing areas. While apparently contradictory with the notion of less impervious coverage, storm drainage could be captured by cistern or underground infiltration in order to maximize watershed values. 14

I hope these comments are useful in deliberations about the proposed project.

Sincerely,



Rick Harter,
Los Angeles River Watershed Citizen

RICHARD HARTER

P-3-1

This comment is the introduction and e-mail transmittal information for Responses to Comments P-3-2 through P-3-14. The comment does not contain any substantive statements or questions about the Draft EIR, and no further response is necessary.

P-3-2

The commentor opposes the Proposed Project, specifically for reasons related to watershed impacts and storm water quality. This opinion will be made available for consideration by the decision-makers as part of their determination regarding the Proposed Project. The comment does not contain any substantive statements or questions about the Draft EIR, and no further response is necessary.

P-3-3

The comment supports further consideration of the passive Open Space alternative presented in the Draft EIR. This opinion will be made available for consideration by the decision-makers as part of their determination regarding the Proposed Project. This alternative was rejected from further consideration for the following reasons: (1) the existing conditions on site are not considered to be biologically or archaeologically unique, and creating an acceptable “natural” environment would require a substantial investment of public funds; (2) a cultural/nature park use would not further the City’s recreation objectives for the project; (3) the degree to which a cultural/nature park would further the project objectives related to economic development is not known; (4) it is also not known to what extent this alternative would have indirect economic development advantages, such as increased visitors and tourism for the City; (5) use of the site for this alternative would remove this site from the inventory of potential Sports Park sites in the City; and (6) there are inherent land use conflicts between a passive open space area and ongoing active oil production activities as a result of a lower activity level and fewer on-site security measures for a passive use compared with an active pay-for-play Sports Park.

P-3-4

The comment notes that there are similarities between the existing and historic topography of the site. The existing conditions on site are the result of significant ground disturbance and earth movement over many decades. The landforms created by these highly disturbed conditions are not unlike the historic landform conditions.

P-3-5

The comment disagrees with the characterization of “inherent land use conflicts between a passive open space area and ongoing active oil production activities” considered in the analysis of a passive open space alternative to the Proposed Project. This opinion will be made available for consideration by the decision-makers as part of their determination regarding the Proposed Project. The discussion of land use conflicts with relation to the passive open space alternative in Chapter 5.0 of the Draft EIR focuses on three key issues: (1) interpretive paths and public access would be required to honor surface easements that provide maintenance and emergency access to the wells; (2) the cultural/native

park would have low levels of activity on a site with varied topography, resulting in a situation that requires constant surveillance by park staff to control trespass at active oil wells and to maintain the public's safety; and (3) the Fire Code requires that a 25-foot area around operating oil wells remains free of any source of ignition, including dry plants.

P-3-6

The comment offers several potential funding sources for a passive park use of the site, such as recreation bonds and storm water treatment agreements with neighboring property owners. Most of the surrounding area is already developed, and new development or redevelopment projects have a variety of ways to implement BMPs to meet the requirements of the National Pollutant Discharge Elimination System (NPDES). The commentor's suggestions will be forwarded to the decision-makers for their consideration.

P-3-7

The comment indicates that project objectives could be met elsewhere. Please see the Alternative Sites discussion in Chapter 5.0 of the Draft EIR.

P-3-8

The comment specifically refers to the project objective that reflects adopted City policy to give preference to children's sports in neighborhood parks. This objective was not crafted for the purpose of justifying the proposal; it is an articulated objective in the Open Space and Recreation Element of the City General Plan. The Proposed Project furthers the intent of this City policy by offering league sports players a new, specific, operationally self-sufficient location that in turn frees up local parks for neighborhood use that are currently being used for league sports.

P-3-9

The commentor comments on the mitigation ratio used in the Draft EIR but suggests that on-site wetlands be incorporated into the project's design and that native habitat be incorporated. The Proposed Project includes an on-site stilling basin that will incorporate (per Mitigation Measure 4.5.5) native California wetland species. The planting of native wetland species in the stilling basin is required in addition to the 0.6-acre off-site wetlands mitigation requirement. In addition, the southern boundary of the project site will be planted with a native vegetation area (per Mitigation Measure 4.5.2) to provide potential habitat for the loggerhead shrikes.

P-3-10

The comment suggests that the project should include storm water treatment measures to treat runoff from off-site locations. As discussed on page 4.4-11 of the Draft EIR, water quality regulations require certain categories of development/redevelopment projects to treat runoff prior to discharge to the storm drain system. LARWQCB does encourage jurisdictions to offer regional solutions for treatment of storm water runoff; structural trash removal devices have been installed in the Los Angeles River, for example. However, in order for the project site to treat runoff from off-site development consistent with regulations, its functional use would be impaired. The comment does not contain any substantive statements or questions about the Draft EIR or the analysis therein. Therefore, no further response is necessary.

P-3-11

The comment suggests that the percent of impervious coverage should not increase with implementation of the project. As discussed on page 4.4-19 of the Draft EIR, pervious pavement will be considered as part of the final design. Pervious pavement has design limitations and is subject to soils and groundwater level constraints. Rooftop runoff controls will also be considered for incorporation into the Standard Urban Storm Water Management Plan (SUSMP) for the project (page 4.4-20). As discussed on pages 4.3-26 and 4.3-29, liquefaction and uncontrolled groundwater seepage are concerns for the project that require mitigation in the form of soils remediation and subdrains for high groundwater levels. These constraints limit the feasibility of underground structures.

P-3-12

The proposed plant palette is composed of both native and ornamental plant materials. The underlying concept is based on water efficiency and the development of a sustainable landscape fabric throughout the project. Plant material selections will promote water conservation and minimize unnecessary maintenance procedures. Specific tree species were selected for use to provide distinctive form and function, create a unique character, provide interest, create focal point areas, create a naturalized landscape, and provide shade, privacy, and screening. Shrub and understory landscaping will consist of plants with spreading growth characteristics that will fill in and create “drifts” of shrubs and eliminate the need for constant trimming/pruning around individual plants. State-of-the-art irrigation concepts and infrastructure will be incorporated to maximize water efficiency and to promote and establish a healthy landscape environment. Extensive use of mulch (recycled green waste) will be utilized in all planter areas to promote water conservation, improve soil composition, and minimize the use of herbicides to control weeds.

P-3-13

This comment suggests that water conservation should have been more prominently discussed in the Draft EIR. This opinion will be made available for consideration by the decision-makers as part of their determination regarding the Proposed Project. As stated in Section 4.7 of the Draft EIR, Public Services and Utilities, all new development, including the Proposed Project, is required to comply with State law regarding water conservation measures, including pertinent provisions of Title 20 and Title 24 of the California Government Code regarding the use of water-efficient appliances. Sufficient water supplies are available to serve the Proposed Project, and the Long Beach Water Department will be able to accommodate the increased demand for potable and reclaimed water.

P-3-14

The comment suggests use of artificial turf, cisterns, and underground infiltration while limiting the use of pesticides and fertilizers. Refer to Responses to Comments P-3-11 and P-8-1. Control of pesticides and fertilizers in runoff is best conducted at the source (proper use and management) as opposed to treatment (e.g., infiltration). Calculations for the detention basin were conducted based on a natural field surface that will allow some infiltration. Artificial turf would act as an impervious surface that would increase storm flows and require a larger detention area. As discussed in Table 4.4.E of the Draft EIR, use of specifically designed infiltration BMPs is limited by low soil permeability and high groundwater levels.